

unlikely” it will call Person A at trial. Defendant presses the motion on the grounds that the information sought is exculpatory by supporting his claim that he lacked the necessary intent or knowledge to commit the fraud. The Motion is DENIED. The activities of Person A prior to working with Defendant are not relevant let alone exculpatory in this case when Defendant was unaware of the activities at the time and had no involvement in the activities. Nor has defendant established that what Person A did or did not do in Texas tends to show a lack of knowledge or intent on Defendant’s part here.

Accordingly, the Motion to Compel (Docket #32) is DENIED.

/s/ Leo T. Sorokin
LEO T. SOROKIN
United States Magistrate Judge